

PATENT

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/David W. Dorton/

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February 13, 2006

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/806,557
Filed: March 23, 2004
Group Art Unit: 3673
Examiner: Robert G. Santos
Applicant: Piana et al.
Title: MATTRESS RETAINER BRACKET
Attorney Docket: LPOR-05
Confirmation No.: 2564

Cincinnati, Ohio 45202

February 13, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND OF EXTRA CLAIMS

Applicants respectfully request a refund under 37 C.F.R. §1.26 for fees paid in excess of that required.

An After Final Amendment was filed on January 28, 2006, in the above-identified case using the U.S. Patent and Trademark Office's Electronic Filing System (EFS). The electronic transmittal form was completed by Applicants' counsel, indicating the total number of claims and the total number of independent claims. Applicants' counsel was unable to indicate that the fees for one of two additional independent claims had previously been charged to Deposit Account No. 23-3000 on September 2, 2005, under cover of an Amendment filed on the same date. Accordingly, the U.S. Patent and

Trademark Office charged counsel's MasterCard in the amount of \$400.00 for two additional independent claims. Fees for only one additional independent claim were required. Accordingly, Applicants respectfully request that the excess fee in the amount of \$200.00 be credited back to counsel's MasterCard.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

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